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Doc Number: **0823206**

05/08/2013 03:42 PM

OFFICIAL RECORDS

Requested By  
GORDON M. SLOAN

**RECORDING REQUESTED BY:**

Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449

DOUGLAS COUNTY RECORDERS  
Karen Ellison - Recorder

Page: 1 of 11 Fee: \$ 24.00  
Bk: 0513 Pg: 2063



Deputy. ar

**WHEN RECORDED MAIL TO:**

✓ Tahoe Regional Planning Agency  
Post Office Box 5310  
Stateline, Nevada 89449  
Attn: Theresa Avance, Senior Planner  
TRPA File # ERSP2011-1119

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR UNIT OF USE AND COVERAGE ASSIGNMENT ("DEED RESTRICTION")  
TO BE RECORDED AGAINST**

**APNS 1418-34-101-001, 1418-34-101-004, 1418-34-101-007,  
1418-34-101-008, 1418-34-101-009, AND 1418-34-101-010**

This Deed Restriction is made this 8 day of May, 2013 by Cave Rock Junction, LLC, a Nevada Limited liability Company, and Phat Pads Inc. (hereinafter "Declarants").

**RECITALS**

1. Declarants are the owners of certain real property located in Douglas County, State of Nevada, described as follows:

Parcel A:

See Exhibit "A"

Said parcel was recorded as document number 0544687, Book 0602, Page 04503 on June 14, 2002, in the Office of the Douglas County Recorder and having Assessor's Parcel Number 1418-34-101-001 (formerly APN 003-150-01).

Parcel B:

See Exhibit "B"

Said parcels were recorded in signature counterpart in the Office of the Douglas County Recorder on July 3, 2003 as document number 0582509, Book 0703, Page 02000; on July 3, 2003 as document number 0582511, Book 0703, Page 02007; and on July 9, 2003 as document number 0582754, Book 0703, Page 03487, and having Assessor's Parcel Numbers 1418-34-101-009, 1418-34-101-004, and 1418-34-101-010.



Parcel C:

See Exhibit "C"

Said parcels were recorded as document number 0579362, Book 0603, Page 03997 on June 9, 2003, in the Office of the Douglas County Recorder and having Assessor's Parcel Numbers 1418-34-101-007, and 1418-34-101-008.

Parcels A, B, and C are hereinafter collectively referred to as the "Property."

2. The Property is located in the Tahoe Region as described in the Tahoe Regional Planning Compact (P.L. 96-551, Stat. 3233, 1980), which region is subject to the regional plan and the ordinances adopted by the Tahoe Regional Planning Agency (hereafter "TRPA") pursuant to the Tahoe Regional Planning Compact.
3. Declarants received reissuance of approval from the TRPA on November 19, 2012 for a subdivision of existing structures on Parcel A (SUBD2012-1125), and on March 28, 2013 for a boundary line adjustment and property merge (LLAD2013-0174) for the Property that resulted in a total of 22 separate legal lots of record (Lots 1-20, Lot A, and Lot B).
4. Declarants received approval from the TRPA on June 27, 2012 for a grading permit for the common area of the Property (ERSP2011-1119) subject to certain conditions contained on said approval, including a condition that Declarant record a deed restriction identifying the assigned units of use and land coverage for each of the legal lots of record within the Property.

**DECLARATIONS**

1. Declarant hereby declares that, for the purpose of satisfying TRPA's condition of approval, upon acknowledgement of TRPA File LLAD2013-0174, the Property contains the following banked commodities:

Lots 1 to 20: 1 residential unit of use each (20 total)

Lot A: 1,752 square feet of commercial floor area

Lot B: 5 residential development rights  
5 residential units of use

Additionally, the Property has a total of 64,717 square feet of land coverage. Land coverage is specifically assigned to the 22 lots, and the amounts are detailed in Exhibit D, attached.

2. This Deed Restriction shall be deemed a covenant running with the land, or an equitable servitude, as the case may be, and shall be binding on the Declarant and Declarant's assigns, and all persons acquiring or owning any interest in the property.
3. This Deed Restriction may not be modified or revoked without the prior express written and recorded consent of the TRPA or its successor agency, if any. TRPA shall be deemed and agreed

to be a third party beneficiary of this Deed Restriction, and as such, can enforce the provisions of this Deed Restriction.

IN WITNESS WHEREOF, Declarant has executed this Deed Restriction this the day and year written above.

Declarant's Signature:

Ken Issac  
Ken Issac, President  
Cave Rock Junction, LLC

Dated:

5/8/13

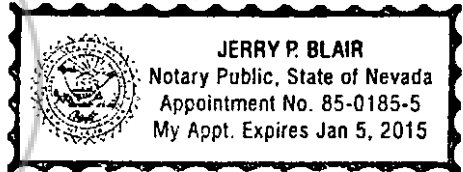
STATE OF Nevada  
COUNTY OF Douglas ) SS.

On May 08, 2013, before me, JERRY P. BLAIR, Notary Public, personally appeared Ken Issac, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Jerry P. Blair



Declarant's Signature:

[Handwritten Signature]  
Ken Issac, President  
Phat Pads Inc.

Dated: 5/8/13

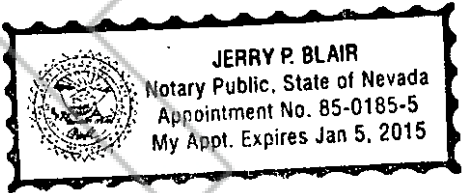
STATE OF Nevada )  
COUNTY OF Douglas ) SS.

On May 08, 2013, before me, JERRY P. BLAIR, Notary Public, personally appeared Ken Issac, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Jerry P. Blair



APPROVED AS TO FORM:

Theresa Avance

Dated: 5/8/13

Tahoe Regional Planning Agency

Theresa Avance

STATE OF Nevada )

) SS.

COUNTY OF Douglas )

On 5-8-13, before me, Linda Allen, Notary Public, personally appeared Theresa Avance,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Nevada that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Linda Allen



Exhibit A

All that referred to herein is situated in the State of Nevada, County of Douglas, described as follows:

A parcel of land situate between the east right of way line of the State Highway, and the East boundary line of Section 34, Township 14 North, Range 18 East, M.D.B.&M., described as follows:

Beginning at the  $\frac{1}{4}$  corner common to Section 27 and 34, Township 14, Range 18 East, M.D.B.&M., thence South  $0^{\circ}30'54''$  West, a distance of 360.00 to a point; thence North  $89^{\circ}44'15''$  West, a distance of 908.20 feet to a point; thence North  $26^{\circ}56'00''$  East, a distance of 134.29 feet, thence continuing North to the Southwest corner of Cave Rock Village Subdivision, thence East along the South boundary line of said Cave Rock Village Subdivision, a distance of 839.84 feet more or less to the Southeast corner of said Subdivision; thence North along the East boundary line of said Subdivision a distance of 234.66 feet to the Northeast corner of said Subdivision; thence East a distance of 4.71 feet more or less to the  $\frac{1}{4}$  corner common to Said Section 27 and 34, to the Point of Beginning.

The above metes and bounds description appeared previously in that certain QUITCLAIM DEED, recorded in the office of the County Recorder of Douglas County, Nevada on October 1, 2001 in Book 1001, Page 0256, as Document No. 05241117, of Official Records.

Exhibit B

All that real property situate in the County of Douglas, State of Nevada, described as follows:

A portion of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 34, Township 14 North, Range 18 East, M.D.B.&M., and being more particularly described as follows, to-wit:

PARCEL ONE:

Beginning at the one-quarter section corner common to Section 34 and 27 of Township 14 North, Range 18 East, M.D.B.&M., thence South  $0^{\circ}28'52''$  West, along said one-quarter Section line, a distance of 360.00 feet to the Northeast corner of the Hozempa property; thence North  $89^{\circ}42'34''$  West along the North boundary of the Hozempa property, a distance of 600.00 feet to the true point of beginning; thence North  $89^{\circ}42'34''$  West along said property line, a distance of 100.00 feet to a point; thence South  $0^{\circ}17'26''$  West a distance of 120.00 feet to a point on the South property line; thence South  $89^{\circ}42'34''$  East along said property line, a distance of 100.00 feet to a point; thence North  $0^{\circ}17'26''$  East a distance of 120.00 feet to the true point of beginning.

PARCEL TWO:

Beginning at the one-quarter section corner common to Section 34 and 27, Township 14 North, Range 18 East, M.D.B.&M.; thence South  $0^{\circ}28'52''$  West, along said one-quarter Section line, a distance of 360.00 feet to a point; thence North  $89^{\circ}42'34''$  West, along the North boundary of the parcel conveyed to Grantor by Deed recorded in Book V of Deeds, page 103, Douglas County, Nevada, records, a distance of 100 feet to the point of beginning; thence continuing North  $89^{\circ}42'34''$  West, along the North boundary of the parcel so conveyed to Grantor, a distance of 100 feet to a point; thence South  $0^{\circ}17'26''$  West a distance of 120.00 feet to a point on the South line of the parcel so conveyed to Grantor; thence South  $89^{\circ}42'34''$  East, along said property line, a distance of 100 feet to a point; thence North  $0^{\circ}17'26''$  East a distance of 120 feet to the point of beginning.

PARCEL THREE:

Beginning at the one-quarter section corner common to Section 34 and 27, Township 14 North, Range 18 East, M.D.B.&M., thence South  $0^{\circ}28'52''$  West, along said one-quarter Section line, a distance of 360.00 feet to the point of beginning, thence North  $89^{\circ}42'34''$  West, along the North boundary of the parcel conveyed to Grantor by Deed recorded in Book V of Deeds, page 103, Douglas County, Nevada, records, a distance of 100 feet to a point; thence South  $0^{\circ}17'26''$  West a distance of 120.00 feet to a point on the South line of the parcel so conveyed to Grantor; thence South  $89^{\circ}42'34''$  East, along said property line, a distance of 100 feet to a point on the one-quarter Section line; thence North along said one-quarter Section line East a distance of 120.00 feet to the point of beginning.

PARCEL FOUR:

Being a right of way 20' in width, appurtenant to Parcels One and Two as conveyed in the Deeds to Benjamin Johnson, et al, recorded October 13, 1966 in Book 45 of Official Records at page 131 and 137, Douglas County, Nevada.

The above metes and bounds description appeared previously in that certain document recorded April 18, 1994 in Book 494, page 3103 as Document No. 335358 of Official Records.

COPY



Exhibit C

All that real property situate in the County of Douglas, State of Nevada, described as follows:

A portion of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 34, Township 14 North, Range 18 East, M.D.B.&M., and being more particularly described as follows:

PARCEL 1A:

Beginning at the  $\frac{1}{4}$  section corner common to Section 34 and 27 Township 14 North, Range 18 East, M.D.B.&M., thence South  $0^{\circ}28'52''$  West, along said  $\frac{1}{4}$  Section line, a distance of 360.00 feet to a point, thence North  $89^{\circ}42'34''$  West, along the North boundary of the parcel conveyed to Grantor by Deed recorded in Book V of Deeds, page 103, Douglas County, Nevada, records, a distance of 200.00 feet to the point of beginning; thence continuing North  $89^{\circ}42'34''$  West, along the North boundary of the parcel conveyed to Grantor, a distance of 100.00 feet to a point; thence South  $0^{\circ}17'26''$  West a distance of 120.00 feet to a point on the South line of the parcel so conveyed to Grantor; thence South  $89^{\circ}42'34''$  East, along said property line, a distance of 100.00 feet to a point; thence North  $0^{\circ}17'26''$  East a distance of 120.00 feet to the point of beginning.

PARCEL 1B:

A non-exclusive easement for road and utility purposes as set forth in the Deed recorded October 3, 1938 in Book V, Page 103, Document No. 5063, Deed Records.

PARCEL 2A:

Beginning at the  $\frac{1}{4}$  section corner common to Section 34 and 27 Township 14 North, Range 18 East, M.D.B.&M.; thence South  $0^{\circ}28'52''$  West, along said  $\frac{1}{4}$  Section line, a distance of 360.00 feet to a point; thence North  $89^{\circ}42'34''$  West along the North boundary of the parcel conveyed to Grantor by Deed recorded in Book V of Deeds, page 103, Douglas County, Nevada, records, a distance of 300.00 feet to the point of beginning; thence continuing North  $89^{\circ}42'34''$  West, along the North boundary of the parcel so conveyed to Grantor, a distance of 100.00 feet to a point; thence South  $0^{\circ}17'26''$  West a distance of 120.00 feet to a point on the South line of the parcel so conveyed to Grantor; thence South  $89^{\circ}42'34''$  East, along said property line, a distance of 100.00 feet to a point; thence North  $0^{\circ}17'26''$  East, a distance of 120.00 feet to the point of beginning.

PARCEL 2B:

A non-exclusive easement for road and utility purposes as set forth in the Deed recorded October 3, 1938 in Book V, Page 103, Document No. 5063, Deed Records.

The above metes and bounds description appeared previously in that certain document recorded August 26, 1980 in Book 880, Page 1838 as Document No. 47837 of Official Records.

Exhibit D

Coverage Allocation for Project Area  
 1301 Highway 50, Douglas County, NV  
 Lot Configuration based on TRPA File Number LLAD2013-0174

Lot	Class 1B	Class 1A	Class 2	Class 4	Class 6	Total
Lot 1 Total Coverage	0	0	0	0	1061	1061
Lot 2 Total Coverage	0	0	0	0	1038	1038
Lot 3 Total Coverage	0	0	0	0	1028	1028
Lot 4 Total Coverage	0	0	0	0	1089	1089
Lot 5 Total Coverage	0	0	0	0	1060	1060
Lot 6 Total Coverage	0	0	0	0	1056	1056
Lot 7 Total Coverage	0	0	0	0	1061	1061
Lot 8 Total Coverage	0	0	0	0	1067	1067
Lot 9 Total Coverage	0	0	0	0	1098	1098
Lot 10 Total Coverage	0	0	0	0	1087	1087
Lot 11 Total Coverage	0	0	0	0	1059	1059
Lot 12 Total Coverage	0	0	0	0	1071	1071
Lot 13 Total Coverage	0	0	0	0	1059	1059
Lot 14 Total Coverage	0	0	0	0	1085	1085

	Class 1B	Class 1A	Class 2	Class 4	Class 6	Total
Lot 15						
Total Coverage	0	0	0	423	631	1054
Lot 16						
Total Coverage	0	0	0	1076	0	1076
Lot 17						
Total Coverage	0	0	10	1017	0	1027
Lot 18						
Total Coverage	0	0	0	1063	0	1063
Lot 19						
Total Coverage	0	0	0	1037	0	1037
Lot 20						
Total Coverage	0	0	0	497	540	1037
Lot A Commercial						
Total Coverage	1270	0	0	0	8757	10027
Lot B Common Area						
Total Coverage	0	0	3389	10164	19924	33477
PROJECT AREA SUMMARY						
Total Coverage for Project Area	1270	0	3399	15277	44771	64717

**Potential Coverage Remaining to be Mitigated:**

**4169**

Potential coverage will be used and mitigated with the first projects to propose Class 4 coverage.

**Excess Coverage to be Mitigated**

**31611**

Excess coverage will be mitigated with each project proposal in the project area, consistent with Section 30.6 of the TRPA Code of Ordinances.